

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER  
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

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**WRIT PETITION NO : 19973 of 2004**

Between:

Prince Sports & Games Association rep. by its President A.S.V.P. Raju S/o  
Nageswara Rao, R/o Kovvali, Denduluru Mandal, West Godavari District

..... PETITIONER

AND

- 1 The Superintendent of Police, Eluru West Godavari District
- 2 The Deputy Superintendent of Police, Eluru, West godavari district
- 3 The Circle Inspector of Police, Bhimadole, West Godavari District
- 4 The Sub-Inspector of Police, P.S. Denduluru Denduluru Mandal, West

Godavari District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in interfering and obstructing the petitioner's association i.e. Prince Sports & Games Association from conducting the card room where the members and guests of the petitioner's association are allowed to play the game of rummy/syndicate with or without stakes is illegal, arbitrary, erroneous, highhanded and violative of the Sec. 15 of A.P. Gaming Act, 1974 and consequently direct the Respondents not to interfere or obstruct the petitioner's association in running the card room to facilitate its members or guests to play the game of rummy/syndicate with or without stakes in the premises of the association.

**Counsel for the Petitioner: MR.Y.V.RAVI PRASAD**

## **Counsel for the Respondents: GP FOR HOME**

**The Court at the admission stage made the following:**

### **ORDER:**

In this writ petition the petitioner is seeking a Writ of Mandamus declaring the action of the respondents in illegally interfering with the lawful activities of the petitioner-Association, as arbitrary and illegal.

Heard both the learned counsel for the petitioner as well as the learned Government Pleader for Home appearing for the respondents.

It is brought to my notice that in similar circumstances, a Division Bench of this Court has clarified the legal position in this regard in its judgment in W.A.No.1167 of 2002 dated 29.07.2002. The relevant portion may be extracted hereunder:

“The police authorities cannot obstruct the Writ Petitioner-Club from conducting card room where the members and guests of the Writ Petitioner’s cultural center are allowed to play the game of rummy with stakes/syndicate (thirteen card game). At the same time, we make it clear that the police are always at liberty to enter the premises and check as to whether the cultural center of the Club is conducting card room where the members and guests of petitioner’s cultural center are playing the game of rummy with stakes/syndicate (thirteen card game), for the purpose of

verification. If they receive any intimation, police may enter the Club and verify the same and proceed further if the members and guests of Writ Petitioner's cultural center play other than the game of rummy with stakes/syndicate (thirteen card game). The police authorities are also at liberty to proceed with the cases, which are already registered."

Following the above judgment of the Division Bench, the Writ Petition is disposed of in terms of the directions given in the judgment in W.A.No.1167 of 2002 dated 29.07.2002.

However, it is made clear that the respondents are at liberty to take appropriate action against the members of the petitioner-Association if they promote any illegal activity at the premises of the Petitioner-Association. No costs.

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01.11.2004

Note: Issue CC by tomorrow

(b/o)

VGB

To

- 1 The Superintendent of Police, Eluru West Godavari District
- 2 The Deputy Superintendent of Police, Eluru, West Godavari district
- 3 The Circle Inspector of Police, Bhimadole, West Godavari District
- 4 The Sub-Inspector of Police, P.S. Denduluru Denduluru Mandal, West

Godavari District

5 2CCs to the Government Pleader for Home, High Court Buildings,

Hyderabad (OUT)

6 2CD copies